



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

For the tenant – MT, CNR

For the landlord – OPR, MNR, MNSD, FF

Introduction

This hearing was convened by way of conference call in response to both parties' applications for Dispute Resolution. The tenant applied for more time to cancel a Notice to End Tenancy and to cancel the 10 Day Notice to End Tenancy for unpaid rent. The landlord applied for an Order of Possession for unpaid rent or utilities; for a Monetary Order for unpaid rent or utilities; for an Order permitting the landlord to keep all or part of the tenant's security deposit; and to recover the filing fee from the tenant for the cost of this application.

The hearing went ahead as scheduled the landlord dialed into the conference call. The line remained open for 10 minutes however no one for the tenant dialed into the call. Based on this I find that the tenant has failed to present the merits of their application and the application is dismissed without leave to reapply.

At the outset of the hearing the landlord testified that the tenant has started to pay some of the rent arrears. The landlord therefore withdraws their application at this time.

Conclusion

The tenant's application is dismissed without leave to reapply.

The landlord's application has been withdrawn. The landlord is at liberty to serve the tenant with another 10 Day Notice to End Tenancy should the tenant fail to pay the rent arrears or future rent. In this event the landlord is at liberty to file a new application.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: October 15, 2013

Residential Tenancy Branch

